

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION**

<b>DAVID CHRISTIAN, et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>No. 2:11-0082</b>
	)	<b>Judge Sharp</b>
<b>SWALLOWS PRODUCE, INC.,</b>	)	
<b>and JACKY R. SWALLOWS,</b>	)	
	)	
<b>Defendants</b>	)	
	)	
<b>and</b>	)	
	)	
<b>SWALLOWS PRODUCE, INC.,</b>	)	
<b>and JACKY R. SWALLOWS,</b>	)	
	)	
<b>Third-Party Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>TWO BROTHERS FARM OF</b>	)	
<b>GEORGIA, a/k/a TWO BROTHERS</b>	)	
<b>FARM, INC., and MICHEL D.</b>	)	
<b>GERMAIN,</b>	)	
	)	
<b>Third-Party Defendants.</b>	)	

**ORDER**

On June 13, 2012, Magistrate Judge Brown entered a Report and Recommendation (“R & R”) (Docket No. 63) in which he recommends that the Entry of Default (Docket No. 41) by the Clerk of Court against Third-Party Defendants Two Brothers Farm of Georgia, Inc. a/k/a Two Brothers Farm, Inc. and Michel D. Germain not be set aside. Despite being specifically advised that any objections to the R & R were to be filed within fourteen days, Third Party Defendants have filed no objections.

Having reviewed the matter in accordance with Fed. R. Civ. P. 72, the Court agrees with

Magistrate Judge Brown's recommendation because good cause has not been shown for setting aside the entry default as required by Fed. R. Civ. P. 55(c). Accordingly,

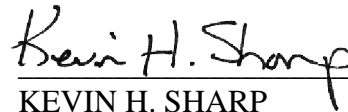
(1) The R & R (Docket No. 63) is hereby ACCEPTED and APPROVED;

(2) Third Party Defendant Michael D. Germain's April 12, 2012 letter, construed as a request to set aside the Entry of Default, is hereby DENIED; and

(3) The Entry of Default (Docket No. 41) will not be set aside and is hereby CONFIRMED.

This case is here returned to Magistrate Judge Brown for further pretrial case management.

It is SO ORDERED.

A handwritten signature in black ink, reading "Kevin H. Sharp", written over a horizontal line.

KEVIN H. SHARP  
UNITED STATES DISTRICT JUDGE